

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 504, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

#### TAXPAYER-TEACHER PROTECTION ACT OF 2004

The SPEAKER pro tempore (Mr. LATHAM). The unfinished business is the question of suspending the rules and passing the bill, H.R. 5186, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the bill, H.R. 5186, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 18, as follows:

[Roll No. 505]

YEAS—414

Abercrombie	Capuano	Emerson
Ackerman	Cardin	Engel
Aderholt	Cardoza	English
Akin	Carson (IN)	Eshoo
Alexander	Carson (OK)	Etheridge
Allen	Carter	Evans
Andrews	Case	Everett
Baca	Castle	Farr
Bachus	Chabot	Feeney
Baird	Chandler	Ferguson
Baker	Chocola	Flake
Baldwin	Clay	Foley
Ballenger	Clyburn	Forbes
Barrett (SC)	Coble	Ford
Bartlett (MD)	Cole	Fossella
Barton (TX)	Collins	Frank (MA)
Bass	Conyers	Franks (AZ)
Beauprez	Cooper	Frelinghuysen
Becerra	Costello	Frost
Bell	Cox	Gallegly
Berkley	Cramer	Garrett (NJ)
Berman	Crane	Gelbach
Berry	Crenshaw	Gibbons
Biggart	Crowley	Gilchrest
Bilirakis	Cubin	Gillmor
Bishop (GA)	Culberson	Gingrey
Bishop (NY)	Cummings	Gonzalez
Bishop (UT)	Cunningham	Goode
Blackburn	Davis (AL)	Goodlatte
Blumenauer	Davis (CA)	Gordon
Blunt	Davis (FL)	Granger
Boehner	Davis (IL)	Graves
Bonilla	Davis (TN)	Green (TX)
Bonner	Davis, Jo Ann	Green (WI)
Bono	Davis, Tom	Grijalva
Boozman	Deal (GA)	Gutierrez
Boswell	DeFazio	Gutknecht
Boucher	DeGette	Hall
Boyd	Delahunt	Harman
Bradley (NH)	DeLauro	Harris
Brady (PA)	DeLay	Hart
Brady (TX)	DeMint	Hastings (FL)
Brown (OH)	Deutsch	Hastings (WA)
Brown (SC)	Diaz-Balart, L.	Hayes
Brown, Corrine	Diaz-Balart, M.	Hayworth
Burgess	Dicks	Hefley
Burns	Dingell	Hensarling
Burr	Doggett	Herger
Burton (IN)	Dooley (CA)	Herseth
Butterfield	Doolittle	Hill
Buyer	Doyle	Hinchey
Calvert	Dreier	Hinojosa
Camp	Duncan	Hobson
Cannon	Dunn	Hoeffel
Cantor	Edwards	Hoekstra
Capito	Ehlers	Holden
Capps	Emanuel	Holt

Honda	Meeks (NY)	Sanchez, Loretta
Hooley (OR)	Menendez	Sanders
Hostettler	Mica	Sandlin
Houghton	Michaud	Saxton
Hoyer	Miller (FL)	Schakowsky
Hulshof	Miller (MI)	Schiff
Hyde	Miller (NC)	Schrock
Inslee	Miller, Gary	Scott (GA)
Isakson	Miller, George	Scott (VA)
Israel	Mollohan	Sensenbrenner
Issa	Moore	Serrano
Istook	Moran (KS)	Sessions
Jackson (IL)	Moran (VA)	Shadegg
Jackson-Lee	Murphy	Shaw
(TX)	Murtha	Shays
Jefferson	Musgrave	Sherman
Jenkins	Myrick	Sherwood
John	Nadler	Shimkus
Johnson (CT)	Napolitano	Shuster
Johnson (IL)	Nethercutt	Simmons
Johnson, E. B.	Neugebauer	Simpson
Johnson, Sam	Ney	Skelton
Jones (NC)	Northup	Smith (MI)
Jones (OH)	Nunes	Smith (NJ)
Kanjorski	Nussle	Smith (TX)
Kaptur	Oberstar	Smith (WA)
Keller	Obey	Snyder
Kelly	Olver	Solis
Kennedy (MN)	Ortiz	Souder
Kennedy (RI)	Osborne	Spratt
Kildee	Ose	Stark
Kind	Otter	Stearns
King (IA)	Owens	Stenholm
King (NY)	Oxley	Strickland
Kingston	Pallone	Stupak
Kirk	Pascarell	Sullivan
Kline	Pastor	Sweeney
Knollenberg	Payne	Tancredo
Kolbe	Pearce	Tanner
Kucinich	Pelosi	Tauscher
LaHood	Pence	Taylor (MS)
Lampson	Peterson (MN)	Terry
Langevin	Peterson (PA)	Thomas
Lantos	Petri	Thompson (CA)
Larsen (WA)	Pickering	Thompson (MS)
Larson (CT)	Pitts	Thornberry
Latham	Platts	Tiahrt
LaTourette	Pombo	Tiberi
Leach	Pomeroy	Tierney
Lee	Porter	Toomey
Levin	Portman	Turner (OH)
Lewis (CA)	Price (NC)	Turner (TX)
Lewis (GA)	Pryce (OH)	Udall (CO)
Lewis (KY)	Putnam	Udall (NM)
Linder	Quinn	Upton
Lipinski	Radanovich	Van Hollen
LoBiondo	Rahall	Velázquez
Lofgren	Ramstad	Visclosky
Lowe	Rangel	Vitter
Lucas (KY)	Regula	Walden (OR)
Lucas (OK)	Renzberg	Walsh
Lynch	Renzi	Wamp
Maloney	Reyes	Waters
Manzullo	Reynolds	Watson
Markey	Rodriguez	Watt
Marshall	Rogers (AL)	Waxman
Matheson	Rogers (KY)	Weiner
Matsui	Rogers (MI)	Weldon (FL)
McCarthy (MO)	Rohrabacher	Weldon (PA)
McCarthy (NY)	Ros-Lehtinen	Weller
McCollum	Ross	Wexler
McCotter	Rothman	Whitfield
McCrery	Roybal-Allard	Wicker
McDermott	Royce	Wilson (NM)
McGovern	Ruppersberger	Wilson (SC)
McHugh	Rush	Wolf
McInnis	Ryan (OH)	Woolsey
McIntyre	Ryan (WI)	Wu
McKeon	Ryun (KS)	Wynn
McNulty	Sabo	Young (AK)
Meehan	Sánchez, Linda	Young (FL)
Meek (FL)	T.	

NOT VOTING—18

Boehlert	Hunter	Norwood
Brown-Waite,	Kilpatrick	Paul
Ginny	Kleccka	Slaughter
Fattah	Majette	Tauzin
Filner	Millender-	Taylor (NC)
Gephardt	McDonald	Towns
Greenwood	Neal (MA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1200

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 505, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

#### PRIVILEGED REPORT ON H. Res. 776, INQUIRY REQUESTING THE PRESIDENT AND DIRECTING SEC- RETARY OF HEALTH AND HUMAN SERVICES PROVIDE CER- TAIN DOCUMENTS RELATING TO ESTIMATES AND ANALYSES OF COST OF MEDICARE PRESCRIP- TION DRUG LEGISLATION

Mrs. JOHNSON of Connecticut, from the Committee on Ways and Means, submitted a privileged report (Rept. No. 108-754 Part I), on the resolution (H. Res. 776) of inquiry requesting the President and directing the Secretary of Health and Human Services provide certain documents to the House of Representatives relating to estimates and analyses of the cost of the Medicare prescription drug legislation, which was referred to the House Calendar and ordered to be printed.

#### APPOINTMENT OF CONFEREES ON H.R. 4567, DEPARTMENT OF HOMELAND SECURITY APPRO- PRIATIONS ACT, 2005

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ROGERS of Kentucky, YOUNG of Florida, WOLF, WAMP, LATHAM, Mrs. EMERSON, Mrs. GRANGER, Messrs. SWEENEY, SHERWOOD, SABO, PRICE of North Carolina, SERRANO, Ms. ROYBAL-ALLARD, and Messrs. BERRY, MOLLOHAN and OBEY.

There was no objection.

□ 1200

#### WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS RE- PORTED FROM COMMITTEE ON RULES

Mr. REYNOLDS. By direction of the Committee on Rules, I call up House Resolution 828 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 828

*Resolved*, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of October 7, 2004, providing for consideration or disposition of a conference report to accompany the